

# Wisconsin Department of Regulation & Licensing

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## DIVISION OF PROFESSIONAL CREDENTIAL PROCESSING

### AFFIDAVIT IN LIEU OF ANNUAL FINANCIAL REPORT

Sections 440.42(3) and 440.455(4), Stats.

**NOTE: Every charitable organization which files one or both of the affidavits on the next two pages must provide ALL of the information on the front side of this form and the top of the next page.**

TYPE OR PRINT IN INK

NAME OF ORGANIZATION	WISCONSIN REGISTRATION NUMBER
ADDRESS (NUMBER AND STREET) OR P.O. BOX	FEDERAL EMPLOYER I.D. NUMBER
CITY OR TOWN, STATE, ZIP CODE	ORGANIZATION'S DAYTIME PHONE NUMBER ( ) -
INDICATE ORGANIZATION TYPE ____ Civic & Social Action    ____ Health Services    ____ Culture ____ Education & Research    ____ Human Services    ____ Other	ACCOUNTING METHOD ____ Cash ____ Other (Specify)    ____ Accrual
ACCOUNTING PERIOD DATE: Beginning Date _____ Ending Date _____	

Attach a list of all officers, directors, trustees and the principal salaried employees. Include their name, address, title, and the date their term ends. **Compensation must be clearly stated.**

YES NO

☐ ☐ For solicitations in Wisconsin, did your organization use a professional fund-raiser or fund-raising counsel or did your organization pay a person to solicit contributions, other than a salaried officer or employee of your organization, during the above-referenced accounting period? If YES, indicate the name and address in this space.

☐ ☐ Has any of the information submitted to the Department in the past **changed**, such as, the **name** of the organization, the **address** of the principal office or any branch office located in Wisconsin, the **accounting period**, the names of the persons within the organization who have final authority for custody or final distribution of contributions, or the articles, by-laws or statement of purpose? If YES, and not already submitted within 30 days after the change, as required by law, explain changes on separate sheet. **If a corporation, and the name has changed, you must attach a copy of the name change amendment.**

☐ ☐ Is your organization authorized by any other governmental authority to solicit contributions? If YES, provide the name and address of the governmental authority.

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YES NO

☐ ☐ During the past year has your organization had its authority to solicit contributions denied, suspended, revoked or enjoined by a court or other governmental authority? If YES, attach an explanation.

☐ ☐ Does your organization solicit contributions under any name other than the name of the organization at the top of this form? If YES, list the other name or names here:

**DESCRIBE THE CHARITABLE PURPOSE OR PURPOSES FOR WHICH CONTRIBUTIONS WILL BE USED OR ATTACH A DOCUMENT WHICH PROVIDES SUCH INFORMATION.**

**Complete either affidavit Form 1 or Form 2 below, or both, if true of your charitable organization's operations and revenues.**

## **FORM 1: AFFIDAVIT OF ORGANIZATION WITH CONTRIBUTIONS LESS THAN \$5,000**

We swear that the organization identified on the other side of this form will not be submitting Form #308, Charitable Organization Annual Report, for its most recently-completed fiscal year, ending \_\_\_\_\_, \_\_\_\_\_, because contributions received during that fiscal year did not exceed \$5,000.

**CERTIFICATION-TWO DIFFERENT SIGNATURES ARE REQUIRED BY LAW.**

\_\_\_\_\_  
(Signature of President)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC (Seal)

\_\_\_\_\_  
DATE COMMISSION EXPIRES

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Signature of Chief Fiscal Officer)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC (Seal)

\_\_\_\_\_  
DATE COMMISSION EXPIRES

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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## FORM 2: AFFIDAVIT OF ORGANIZATION WHICH SOLICITED CONTRIBUTIONS SOLELY IN ONE COMMUNITY AND RECEIVED LESS THAN \$50,000 IN CONTRIBUTIONS

We swear that the organization identified on the other side solicits contributions solely within the county in which its principal office is located and that it received less than \$50,000 in contributions during its most recently completed fiscal year, ending \_\_\_\_\_, \_\_\_\_\_. Therefore, by filing this affidavit, we are:

- ☐ seeking exemption from filing a financial report for that fiscal year/ and/or  
☐ seeking exemption, for the current fiscal year, from the solicitation disclosure requirements reproduced on the back side of this page.

**Our organization solicits contributions in the following county. (Please identify the county in which you solicit in person, by telephone or by mail.) If you solicit in more than one county, your organization is not qualified for this affidavit.**

**CERTIFICATION--TWO DIFFERENT SIGNATURES ARE REQUIRED BY LAW.**

\_\_\_\_\_  
(Signature of President) (Date)

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC (Seal) DATE COMMISSION EXPIRES

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Signature of Chief Fiscal Officer) (Date)

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC (Seal) DATE COMMISSION EXPIRES

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

## SOLICITATION DISCLOSURES

**440.41 (10)** “Unpaid solicitor” means a person who solicits in this state and who is not a professional fund-raiser

### **440.455 Solicitation disclosure requirements.**

(1) Except as provided in sub. (4), if a professional fund-raiser or unpaid solicitor solicits a contribution for a charitable organization that is required to be registered under s. 440.42 (1), the professional fund-raiser or unpaid solicitor shall, at the time of the solicitation or with a written confirmation of a solicitation, prior to accepting a contribution, make the following disclosures to the person from whom the contribution is solicited:

(a) The name and location of the charitable organization.

(b) That a financial statement of the charitable organization disclosing assets, liabilities, fund balances, revenue and expenses for the preceding fiscal year will be provided to the person upon request.

(c) A clear description of the primary charitable purpose for which the solicitation is made.

(2) The financial statement under sub. (1) (b) shall, at a minimum, divide expenses into categories of management and general, program services and fund-raising. If the charitable organization is required to file an annual financial report under s. 440.42 (3) (a), the financial statement under sub. (1) (b) shall be consistent with that annual financial report.

(3) In addition to the requirements under subs. (1) and (2), except as provided in sub. (4), if a professional fund-raiser solicits on behalf of a charitable organization that is required to be registered under s. 440.42 (1), all of the following apply:

(a) If a solicitation is made orally, including a solicitation made by telephone, the professional fund-raiser shall send a written confirmation, within 5 days after the solicitation, to each person contributing or pledging to contribute. The written

confirmation shall include a clear and conspicuous disclosure of the name of the professional fund-raiser and that the solicitation is being conducted by a professional fund-raiser.

(b) The professional fund-raiser may not represent that any part of the contributions received by the professional fund-raiser will be given or donated to a charitable organization unless that charitable organization has, prior to the solicitation, consented in writing, signed by 2 authorized officers, directors or trustees of that other charitable organization, to the use of its name.

(c) The professional fund-raiser may not represent that tickets to an event will be donated to an organization for use by others unless all of the following conditions are met:

1. The professional fund-raiser has a commitment, in writing, from the organization stating that the organization will accept donated tickets and specifying the number of donated tickets that the organization is willing to accept.

2. The professional fund-raiser solicits contributions for donated tickets from no more contributors than the number of tickets that the organization has agreed to accept under subd. 1.

(4) A charitable organization that operates solely within one community and that received less than \$50,000 in contributions during its most recently completed fiscal year may apply to the department for an exemption from the disclosure requirements under this section. The department shall promulgate rules specifying the criteria for eligibility for an exemption under this paragraph, and shall grant exemptions from the disclosure requirements under this section to a charitable organization that satisfies those criteria.

**History:** 1991 a. 278, 315.

**Cross Reference:** See also ch. RL 5, Wis. adm. code.